



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Numbers: 2403312
Applicant Name: David Tully
Address of Proposal: 9326 7th Avenue S.

SUMMARY OF PROPOSED ACTIONS

Master use permit to subdivide one parcel into eight parcels of land. Proposed parcel sizes are: A) 5,339 sq. ft., B) 5,339 sq. ft., C) 5,340 sq. ft., D) 5,340 sq. ft., E) 5,340 sq. ft., F) 5,340 sq. ft., G) 5,731 sq. ft.; and H) 5,731 sq. ft. The existing structures to be removed.

Short Subdivision - to subdivide one existing parcel into eight parcels of land.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

 ☐ DNS with conditions

 ☐ DNS involving non-exempt grading or demolition, or
 involving another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description

The subject site is located on the east side of 7th Avenue S. and south of S. Director St. in the South Seattle neighborhood. The existing lot area is approximately 43,500 square feet with one existing single-family structure and a small one story shed with an attached lean-to on site. The zoning for this site is Single-family with a minimum lot size of 5000 (SF5000).

The surrounding area is zoned SF5000 with a small area of Commercial zoning adjacent to the east property line of the subject site. The rest of the area to the east of the site is zoned Industrial. The roadway appears to be moderately traveled. The rest of the area is characteristic of low-density residential zones, quiet streets during mid-afternoon with little pedestrian activity. 7th Avenue S. is a two-lane paved street without sidewalks, curbs and gutters on both sides.

The lot has approximately 208.72-feet of street frontage along 7th Avenue S. and is approximately 208.41-feet deep. Site vegetation includes grass, shrubs and trees.

The Seattle Landmarks Preservation Board received a landmark nomination application for the existing single-family residence (Querio House) at the subject site. The Landmarks Board has determined that the contents of the landmark nomination application are adequate, in accordance with SMC 25.12. According to the Landmarks Preservation Board letter dated August 30, 2004 the nomination will be considered.

The Landmarks Preservation Board approved the nomination of the Querio House on September 15, 2004 (LPB 292/04). Therefore, any alterations or removal of the structure (Querio House) is under control of the Landmarks Preservation Board per SMC 25.12.690.

The Director published a decision on the subject short subdivision on October 7, 2004 which included a condition that none of the eight lots could be developed prior to demolition of the existing structure. Upon further analysis, the condition is being revised upon publication of this decision to prevent development only on those lots that are constrained under the Land Use Code by the existing development and to ensure that any resultant determination by the Landmark Preservation Board can be effectively implemented by common ownership of the potentially affected lots.

Proposal Description

The proposal is to subdivide one parcel of land into eight parcels. Proposed parcel areas are indicated in the summary above. Vehicular access will be from 7th Avenue S. The proposal includes a 20-foot wide ingress, egress and utility easement across Lot H and Lot F for access to Lot G and Lot E. The proposal also includes by a 20-foot wide ingress, egress and utility easement across Lot D and Lot B for access to Lot C and Lot A.

Public Comments

Notice of the proposed project was published on June 3, 2004. The public comment period ended on June 16, 2004. Three written comment letters were received.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings which follow are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD); review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light; and, review by the Land Use Planner.

1. Conformance to the applicable Land Use Code provisions;

The parcels created by this proposed division of land would conform to all development standards of the SF 5000 zone. Each lot will have adequate buildable lot area to meet applicable parking, yards and lot coverage requirements, provided the existing single family residence is removed. If the structure is retained without modification, Lots E, F, G & H taken together

would still constitute one development site. The plat will be conditioned that the above lots may not be separately sold or redeveloped until the existing structure is removed or modified in such a way as to not require any or all of these lots to satisfy Land Use Code development standards.

2. *Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005;*

Each of the proposed parcels will have adequate access for vehicles, utilities and fire protection from 7th Avenue S., which is a 30-foot wide street that has a paved width of approximately 18-feet. The proposal includes a 20-foot wide ingress, egress and utility easement from 7th Avenue S., across Lot H and Lot F for access to Lot G and Lot E and also includes a 20-foot wide ingress, egress and utility easement across Lot D and Lot B for access to Lot C and Lot A.

Seattle City Light has reviewed this application and requires an overhead/underground easement on the portions of Tract 11 shown as Easement for ingress, egress, address signage, mailbox, and Utilities. The Seattle Fire Department reviewed and approved this proposal.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

Sanitary Sewer: The existing structure located upon the proposed Short Plat is connected by means of a single sidesewer to an 8-inch public sanitary sewer (PSS) located in 7th Ave. S.

Drainage: There is no publicly maintained drainage conveyance system in the near vicinity of the proposed Short Plat. The mapped soil type is Recessional Outwash which should allow for infiltration to be used for stormwater management.

Seattle Public Utilities reviewed the unit lot subdivision application and approved a Water Availability Certificate, No. 04-0814 on May 28th, 2004. All conditions on the certificate must be met prior to receiving water service.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short plat meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis and decision. This proposal aligns with Land Use Goals in Seattle's Comprehensive plan. For instance:

- LG14 Increase opportunities for detached single family dwellings attractive to many residents, including families with children.
- LG15 Encourage development of ground related housing types including...single family homes.

At the time of publication of this decision, the existing residential structure is being considered for possible designation as a City of Seattle Landmark. Since the Landmark nomination report applied to the structure and to the site within 25 feet of the exterior walls of the house, ownership control of the lots within 25 feet of the structure should remain in common until final resolution of the potential Landmark status of the house. The plat will be so conditioned. The public use and interests are served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

The site is not mapped as an environmentally critical area.

6. *Is designed to maximize the retention of existing trees;*

Several trees have been shown on the preliminary short subdivision drawings. However, there does not appear to be another 8 lot configuration for this plat that would better maximize retention of trees than the proposed plat configuration.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.*

Section 23.24.045 is not applicable because the proposed short subdivision is not for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

The owner(s) and responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. The boundaries shall be adjusted if necessary to meet the requirements of the Land Use Code.
2. Submit the final recording forms and fee for approval.
3. On the final plat, provide an easement or covenant allowing for the proper display of addresses along 7th Ave S for the landlocked parcels (Lots B, D, F and H).
4. On the face of the plat, change the language for the existing house on proposed lots E and G from "to be removed" to "Sale or development of Lots E, F, G and H as separate sites is not authorized prior to the removal of the existing residential structure (Querio House). Demolition or alteration of the house is not authorized by this plat and requires separate approvals."

5. Unless the final status of the Landmark designation is known prior to recording, the following notation shall be made on the final plat: "Ownership control of the lots within 25 feet of the structure (Lots C, D, E, F, G and H) shall remain in common until resolution of the potential Landmark status of the house under LPB 292/04."
6. Add the Seattle City Light Easement to the face of the plat.

After Recording and Prior to Issuance of a Building Permit

7. Attach copy of the recorded short plat with the plans upon application for construction permits.
8. Provide a standard drainage control plan.
9. Prior to the sale or development of Lots E, F, G and H, the residence on the site must have been legally removed or altered to comply with development standards on a smaller configuration of the site".

Signature: (signature on file) Date: October 14, 2004
Joan S. Carson, Land Use Planner II
Department of Planning and Development
Land Use Services